

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JABARIE PHILLIPS,

Plaintiff,

V.

RON FRAKER, PRIVATE CONTRACTORS,

Defendants.

No. C12-1110 RBL/KLS

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen L. Strombom, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and **ORDER:**

- (1) The Court adopts the Report and Recommendation.
- (2) This action is **Dismissed Without Prejudice** prior to service for failure to state a claim.
- (3) The Clerk is directed to send copies of this Order to Plaintiff, counsel for any Defendants who have appeared, and to the Hon. Karen L. Strombom.

DATED this 11th day of January, 2013.

Ronald B. Lightner

Ronald B. Leighton
United States District Judge